

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Werner Barton et al.)
Serial No.: 10/598,773) Examiner: MOHANDESI, IRAJ A.
Filed: October 30, 2006) Art Unit: 2834
) Confirmation No. 1104
Atty. Docket No. 46WD138884

For: Method for operating a frequency converter of a generator and wind energy turbine having a generator operated according to the method

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

SIR:

In response to the Restriction Requirement of December 10, 2008, Applicants hereby elect claims 1-13 of Group I for further prosecution.

The election is made with traverse.

The Examiner has required restriction to one of the two groups of inventions specified in the Restriction Requirement. The Examiner supports this Restriction Requirement on the basis that the inventions are distinct and have acquired a separate status in the art.

It is respectfully pointed out that the present application is a national stage application submitted under 35 USC 371. As set forth in MPEP Section 1893.03(d), "Examiners are reminded that unity of invention (not restriction practice pursuant to 37 CFR 1.141 – 1.146) is applicable in international applications... and in national stage applications submitted under 35 U.S.C. 371."

The Examiner has not made the requisite showing of a lack of unity of invention. Accordingly, withdrawal of the Restriction Requirement and prosecution on the merits of all pending claims is respectfully solicited.

Respectfully submitted,

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